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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,697	07/17/2002	Eriko Ohdachi	0121/0001	5517

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EXAMINER
TRAN, DALENA

ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.

EXAMINER

ART UNIT	PAPER
	11

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Commissioner for Patents

Office Action Summary	Application No. 10/089,697	Applicant(s) OHDACHI ET AL.	
	Examiner Dalena Tran	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 July 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-61* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-61* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *7* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-61 are pending.

2. The prior art submitted on 7/17/02 has been considered.

3. The copy of the priority documents : JAPAN 2000237062 8/4/00 and JAPAN 2000237061 8/4/00 have not received yet. Submission is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-6, and 27-28, are rejected under 35 U.S.C.102(e) as being anticipated by Fukaya et al. (6,226,590).

As per claims 1, and 5-6, Fukaya et al. disclose an information generating device comprising at least display means and character or symbol input means, which is used in an information generating system for generating a receive unit file for transmission or communication to represent information created using a hyperlink, wherein display positions of plural pieces of information in the same file are brought into one-to-one correspondence with numeric keys, and into correspondence with one another through hyperlinks, and the correspondences do not accompany calling of another file (see the abstract; and column 2, line 61 to column 4, line 12).

As per claim 2, Fukaya et al. disclose an information generating device comprising at least display means and character or symbol input means, which is used in an information generating system for generating a receive unit file for transmission or communication to represent information created using a hyperlink, wherein information is created for bringing display positions of plural pieces of ordered information into one-to-one correspondence with numeric keys in ascending numeric order (see column 4, line 13 to column 5, line 67).

As per claim 3, Fukaya et al. disclose wherein pieces of the receive unit file in the same file are brought into correspondence with one another through hyperlinks not accompanied by calling of another file (see column 6, lines 1-54).

As per claim 4, Fukaya et al. disclose an information generating device comprising at least display means and character or symbol input means, which is used in an information generating system for generating a receive unit file for transmission or communication to represent information created using a hyperlink (see column 2, line 61 to column 4, line 12), wherein plural pieces of ordered information are divided into files according to the file size or number of numeric keys (see column 6, line 55 to column 7, line 64), the divided plural files are brought into one another through hyperlinks, and display positions of plural pieces of information with sequence numbers in each file are brought into one-to-one correspondence with numeric keys in ascending numeric order through hyperlinks (see column 7, line 65 to column 8, line 60).

Claim 27 is method claim corresponding to device claims 5-6 above. Therefore, it is rejected for the same rationales set forth as above.

As per claim 28, Fukaya et al. disclose a storage medium for storing the route guidance information generated by any of devices (see column 4, line 13 to column 5, line 67).

6. Claims 7-14,19-21, and 26, are rejected under 35 U.S.C.102(e) as being anticipated by Nimura et al. (6,266,613).

As per claim 7, Nimura et al. disclose a route guidance information generating device comprising display means; map storage means storing a road network; input means for entering plural points (see column 2, line 57 to column 3, line 67; and column 5, line 30 to column 7, line 18); search means for taking in from input means information obtained from map storage to calculate a route between plural points (see column 7, line 20 to column 8, line 25); route guidance element generating for generating route guidance elements for route guidance on the basis of the route result calculated by search means, and route guidance information generating for generating route guidance information on the basis of the route guidance elements (see column 2, lines 16-56); wherein route guidance information generates route guidance information at plural guide points on the route between plural points as plural pieces of ordered information or information capable of fitting in one screen display space (see the abstract).

As per claim 8, Nimura et al. disclose the route guidance information contains at least distance on each road to the next guide point (see column 8, lines 26-67).

As per claim 9, Nimura et al. disclose the route guidance information contains at least intersection names (see column 9, lines 1-20).

As per claim 10, Nimura et al. disclose the plural guide points include named intersections located at the nearest side of corresponding nameless intersections along the traveling direction as well as locations at which geographical orientations change to a

considerable extent before and after intersections, Y branches and locations at which road types change (see column 9, line 21 to column 10, line 20).

As per claim 11, Nimura et al. disclose the route guidance information contains at least display information images, which represent with arrows traveling directions at intersections of roads (see column 12, lines 1-39).

As per claim 12, Nimura et al. disclose the route guidance information contains at least display information images, which represent with arrows directions indicative of crossing conditions at intersections of roads and traveling directions at the intersections of roads (see column 12, lines 40-67).

As per claims 13-14, Nimura et al. disclose the route guidance information contains at least display information images, which represent with arrows directions at intersections of roads, and distance on each road to the next guide point, the distance being located at the tip of each arrow of the display images that represent with the arrows the traveling directions (see column 13, lines 1-67).

As per claim 19, Nimura et al. disclose the positions at which corresponding numerals are represented on the route guidance simplified map are standardized on either the right or left side of the traveling direction (see column 7, line 20 to column 8, line 26).

As per claims 20-21, Nimura et al. disclose information is created for representing the route guidance information in plural levels of hierarchy divided into files dependently on the division of the next higher level of hierarchy and associating the plural levels of the guidance information with one another through a hyperlink on a guide point basis (see column 10, line 21 to column 11, line 23).

As per claim 26, Nimura et al. disclose a navigation device comprising at least map storage for storing a road network, input for entering plural points, and present position calculating for calculating the present position of its own device, wherein a display screen is displayed or voice guidance is performed through a hyperlink according the present position information on the basis of the route guidance information generated (see column 2, line 57 to column 3, line 67; and column 5, line 30 to column 7, line 19), calculating a route between the plural points inputted (see column 7, line 20 to column 8, line 26), and route guidance element generating for generating route guidance elements for route guidance on the basis of the route result calculated by search means, route guidance information generating for generating route guidance information on the basis of the route guidance elements (see column 2, lines 16-56).

7. Claims 22-25,29, and 34-39, are rejected under 35 U.S.C.102(e) as being anticipated by Ito et al. (6,249,740).

As per claim 22, Ito et al. disclose a route guidance information providing center device comprising: map storage for storing a road network (see column 7, line 65 to column 8, line 35), searching information obtained from map storage to calculate a route, route guidance information generating for generating route guidance information for route guidance on the basis of the route calculated (see column 8, lines 36-67), reception for receiving input from route guidance information generating and input from the outside, and transmission for transmission to the outside, wherein the input from the outside is received and the route guidance information generated is sent out to the outside (see the abstract; and column 2, line 59 to column 3, line 54).

As per claim 23, Ito et al. disclose map information is called from map storage to send out map information corresponding to the route guidance information together with the route guidance information (see column 10, lines 1-57).

As per claims 24-25, Ito et al. disclose a navigation device including at least input means for entering plural points and present position calculating (see column 10, line 59 to column 11, line 30), the navigation device comprising communication means for receiving route guidance information and map information sent out from a route guidance providing center device, which includes map storage means for sending out plural pieces of point information from input and storing a road network (see column 14, line 49 to column 15, line 29), search means for calculating a route on the basis of information obtained from map storage (see column 11, line 31 to column 12, line 4), route guidance information generating for generating route guidance information for route guidance on the basis of the route calculated (see column 12, line 57 to column 13, line 61), and reception for receiving the route guidance information and input from the outside, and transmission for transmission to the outside, such that the input from the outside is received and the route guidance information generated is sent out to the outside, wherein a display screen is displayed or voice guidance is performed through a hyperlink according to the present position information (see column 11, lines 1-30).

As per claims 29, and 37, Ito et al. disclose a communication type navigation system for transmitting route guidance information searched at a center to a communication terminal to guide a user to a route, wherein center divides the route guidance information into plural pieces each of which has a size equal to or less than the reception capacity of communication terminal

to transmit the divided information, and main points of the route are inputted (see column 15, line 40 to column 16, line 52).

As per claims 34-36, Ito et al. disclose initial geographical orientation of communication terminal is displayed in relation to the position of a celestial body, of a surrounding landmark or landmarks (see column 16, line 54 to column 19, line 9).

As per claims 38-39, Ito et al. disclose the starting place is set by inputting the first and the next intersection, and guidance elements located close to a real destination are listed so that one element will be selected and inputted therefrom (see column 21, line 53 to column 22, line 49).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 15-18, are rejected under 35 U.S.C.103(a) as being unpatentable over Nimura et al. (6,266,613) in view of Goto et al. (6,304,820).

As per claims 15-16, Nimura et al. do not disclose display information images. However, Goto et al. disclose the route guidance information contains at least display information images which represent break lines between the guide points, and the route guidance information contains at least any of character, image or voice information, or a combination of these pieces of information (see the abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Nimura et al. by combining the route

guidance information contains at least display information images which represent break lines between the guide points, and the route guidance information contains at least any of character, image or voice information, or a combination of these pieces of information for easily recognize the road map in the display screen.

Also, as per claims 17-18, Goto et al. disclose route guidance simplified map represented by images, the map schematically synthesizing driving directions of the intersections at the plural guide points in one file, brought into one to one correspondence with the numeric keys, corresponding numerals are put in positions corresponding to the guide points on the route guidance simplified map, and the display positions are brought into one to one correspondence with the numeric keys in ascending numeric order, and into correspondence with one another thorough hyperlinks (see column 3, line 32 to column 6, line 3).

10. Claims 30-33, and 42, are rejected under 35 U.S.C.103(a) as being unpatentable over Ito et al. (6,249,740) in view of Hayashi et al. (6,477,526).

As per claim 30, Ito et al. do not disclose communication protocol. However, Hayashi et al. disclose the route guidance information is represented according to a communication protocol or in an application language suitable for use in a network provided by communication terminal (see the abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al. by combining the route guidance information is represented according to a communication protocol or in an application language suitable for use in a network provided by communication terminal for communicating with a user terminal via a network.

Also, as per claims 31-32, Hayashi et al. disclose the application language suitable for use in a network is compact hypertext markup language (see column 4, line 40 to column 5, line 37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al. by combining the application language suitable for use in a network is compact hypertext markup language to provide a map information in a hierarchical structure having multiple hierarchies according to the scale of the map.

As per claim 33, Hayashi et al. disclose the communication protocol suitable for use in the network is a wireless communication protocol (see column 2, line 45 to column 3, line 38).

As per claim 42, Ito et al. do not disclose weighted a turn cost at nameless intersection. However, Hayashi et al. disclose a turn cost at nameless intersection is weighted (see column 10, line 30 to column 11, line 48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al. by combining a turn cost at nameless intersection is weighted for selecting a best route from start point to the destination.

11. Claims 40-41, and 48, are rejected under 35 U.S.C.103(a) as being unpatentable over Ito et al. (6,249,740) in view of Fukaya et al. (6,226,590).

As per claims 40-41, Ito et al. do not disclose input is done by voice. However, Fukaya et al. disclose input is done by voice, and external keyboard connected to communication terminal (see column 2, line 61 to column 4, line 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al. by combining input is done by voice, and external keyboard connected to communication terminal for conveniently for a driver input a request of route guidance during driving.

As per claim 48, Fukaya et al. also disclose a guidance program which describes the route guidance information is downloadable to communication terminal (see column 4, line 13 to column 5, line 67).

12. Claim 43, is rejected under 35 U.S.C.103(a) as being unpatentable over Ito et al. (6,249,740) in view of Nimura et al. (6,266,613).

As per claim 43, Ito et al. do not disclose function select buttons. However, Nimura et al. disclose function select buttons are provided (see column 11, lines 24-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al. by combining function select buttons are provided for driver select an optimum route to the destination.

13. Claims 44-47, are rejected under 35 U.S.C.103(a) as being unpatentable over Ito et al. (6,249,740), and Nimura et al. (6,266,613) as applied to claim 43 above, and further in view of Hayashi et al. (6,477,526).

As per claim 44, Ito et al., and Nimura et al. do not disclose labels are attached to guide points. However, Hayashi et al. disclose labels are attached to guide points on a route overview and a button indicated by a corresponding one of the labels is entered to shift the current screen to a guidance detailed screen (see column 5, line 43 to column 6, line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al., and Nimura et al. by combining labels are attached to guide points on a route overview and a button indicated by a corresponding one of the labels is entered to shift the current screen to a guidance detailed screen for recognizing a detail map of the route to destination.

As per claim 45, Ito et al. disclose a re-search button is provided at some midpoint on the route guidance (see column 40, lines 28-65).

As per claim 46, Ito et al. disclose a long distance route is divided and searched, and a button to search for a continued part is provided at the end of each divided piece (see column 20, line 25 to column 21, line 50).

As per claim 47, Ito et al. disclose a button to determine whether priority is assigned to understandability of the route or reduction of hours of the travel (see column 22, line 51 to column 23, line 65).

14. Claim 49, is rejected under 35 U.S.C.103(a) as being unpatentable over Ito et al. (6,249,740), and Fukaya et al. (6,226,590) as applied to claim 48, and further in view of Nimura et al. (6,266,613).

As per claim 49, Ito et al., and Fukaya et al. do not disclose guidance program downloaded is divided and displayed. However, Nimura et al. disclose an execution result of the guidance program downloaded is divided and displayed in a display area on communication terminal (see the abstract; and column 12, lines 40-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al., and Fukaya et al. by combining guidance program downloaded is divided and displayed in a display area on communication terminal for increasing the apparent segment cost of the system chosen route and then determining a route which has the smallest segment cost to the driver.

15. Claims 50-57, are rejected under 35 U.S.C.103(a) as being unpatentable over Ito et al. (6,249,740), and Nimura et al. (6,266,613) as applied to claim 43 above, and further in view of Iizuka (6,084,543).

As per claim 50, Ito et al., and Nimura et al. do not disclose informed of changes in the route guidance information. However, Iizuka discloses a user is informed of changes in the route guidance information (see the abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al., and Nimura et al. by combining a user is informed of changes in the route guidance information for the driver not confusing when follow a guidance route to destination.

As per claim 51, Ito et al. disclose when a change in distance to a turn direction arrow display or intersection or to the destination occurs, the distance is displayed (see column 29, line 18 to column 30, line 56).

As per claims 52-53, Ito et al., and Nimura et al. do not disclose a signal when the user approaches a guide point. However, Iizuka discloses when the user approaches a guide point, the volume or tone color of a beep is changed, and communication terminal turns its backlight on (see column 2, line 28 to column 4, line 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al., and Nimura et al. by combining when the user approaches a guide point, the volume or tone color of a beep is changed, and communication terminal turns its backlight on, therefore, the driver can determine the direction he should take at a given guide point, and can safely continue to drive.

Also, as per claim 54, Iizuka discloses when an event has occurred, center informs communication terminal of the event (see column 7, line 30 to column 8, line 30).

As per claim 55, Ito et al. disclose when the user deviates from the suggested route, re-search is activated (see column 40, lines 28-65).

As per claims 56-57, Ito et al. disclose when the user deviates from the suggested route, information on surrounding roads to pass through is transmitted to communication terminal together with the suggested route, and routes including return routes to the original route are pre-calculated and sent to communication terminal beforehand (see column 40, line 66 to column 41, line 62).

16. Claim 58, is rejected under 35 U.S.C.103(a) as being unpatentable over Ito et al. (6,249,740) in view of DeLorme et al. (6,321,158).

As per claim 58, Ito et al. do not disclose advertisements are displayed. However, DeLorme et al. disclose advertisements are displayed or conducted (see column 10, lines 16-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Ito et al. by combining advertisements are displayed or conducted for providing a user multimedia information choices along the route to destination.

17. Claims 59-61, are rejected under 35 U.S.C.103(a) as being unpatentable over Ito et al. (6,249,740), and Hayashi et al. (6,477,526) as applied to claim 30 above, and further in view of DeLorme et al. (6,321,158).

As per claims 59-61, Ito et al., and Hayashi et al. do not disclose commercial information. However, DeLorme et al. disclose information on facilities of commercial sponsors are made viewable on the map so that center will extract and display or conduct the facility information in the neighborhood of the route, and each of the commercial sponsors is charged according to the number of times the advertisement concerned is displayed or conducted (see column 34, line 12 to column 35, line 63; column 36, line 45 to column 37, line 42; column 45, line 17 to column 46, line 34; and column 50, line 58 to column 51, line 40). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the teach of Ito et al., and Hayashi et al. by combining information on facilities of commercial sponsors are made viewable on the map so that center will extract and display or conduct the facility information in the neighborhood of the route, and each of the commercial sponsors is charged according to the number of times the advertisement concerned is displayed or conducted enables a user select a list of place names and types of location for user interest.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

. Moroto et al. (4,954,959)

. Nanba et al. (5,874,905)

. Hayashi et al. (6,035,253)

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 703-308-8223. The examiner can normally be reached on M-F (7:30 AM-5:30 PM), off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

/dt
September 4, 2003

TAN Q. NGUYEN
PRIMARY EXAMINER